

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

THOMAS J. SARR a/k/a
THOMAS P. SARR a/k/a
THOMAS PETER SARR,

Debtor.

CASE NO. 14-36174-cgm

CHAPTER 13

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THOMAS J. SARR a/k/a
THOMAS P. SARR a/k/a
THOMAS PETER SARR,

Plaintiff

Adv. Proc. No.: 14-09024-cgm

v.

ULSTER SAVINGS BANK,

Defendant.

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**ORDER GRANTING ULSTER SAVINGS BANK'S MOTION FOR SUMMARY
JUDGMENT AND DENYING DEBTOR'S MOTION FOR SUMMARY JUDGMENT**

Upon the Motion of Ulster Savings Bank (“Ulster” or the “Defendant”) dated May 21, 2015 seeking Summary Judgment Dismissing the Complaint filed Thomas J. Sarr a/k/a Thomas P. Sarr a/k/a Thomas Peter Sarr (the “Plaintiff” or the “Debtor”) and the exhibits annexed thereto and the Memorandum of Law filed in support thereof (“Ulster’s Motion for Summary Judgment”) [Docket Nos.:19 and 21]; and upon the Debtor’s Motion for Summary Judgment dated May 21, 2015, seeking Partial Summary Judgment on the Issue of Liability and the exhibits annexed thereto and the Memorandum of Law filed in support thereof (the “Debtor’s Motion for Summary

Judgment") [Docket Nos.:22 and 23]; and upon the Stipulation of Undisputed Facts dated May 21, 2015 [Docket No.: 20]; and upon Ulster's Affirmation in Opposition to the Debtor's Motion for Summary Judgment and in further Support of Ulster's Motion for Summary Judgment dated June 15, 2015 [Docket No.:26]; and upon the Debtor's Affirmation in Opposition to Defendant's Motion for Summary Judgment dated June 16, 2015 [Docket No.:27]; and a hearing having been held on both Ulster's Motion for Summary Judgment and the Debtor's Motion for Summary Judgment on June 30, 2015; and Cara M. Goldstein, Esq. of Stagg, Terenzi, Confusione & Wabnik, LLP having appeared on behalf of Ulster and Jason J. Kovacs, Esq. of Rusk, Wadlin, Heppner & Martuscello, LLP having appeared on behalf of the Debtor; and notice being deemed good and sufficient; and due deliberation having been had; and sufficient cause appearing therefore, and upon the decision of the Court read on the record, now it is hereby

ORDERED, that Ulster's Motion for Summary Judgment is granted in its entirety; and it is further

ORDERED, that the Debtor's Motion for Summary Judgment is denied in its entirety; and it further

ORDERED, that the instant Adversary Proceeding filed by the Debtor against Ulster is hereby dismissed with prejudice.

Dated: July 7, 2015
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
Chief U.S. Bankruptcy Judge